

U.S. PTO Customer No. 25280

Case #5719

Applicants respectfully submit that the Examiner has improperly imposed this claim restriction after already performing a detailed search of claims 1 – 39 (see Office Actions dated January 12, 2005; July 29, 2005; December 5, 2005; June 13, 2006 shown on the prosecution history list attached hereto as Exhibit 1). These Office Actions contained claim rejections based upon prior art found from the Examiner's search (see Examiner's search list attached hereto as Exhibit 2).

Furthermore, the Office Action dated December 5, 2005 was a Final Office Action. MPEP Section 811.02 and 37 CFR Section 1.142(a) clearly state that a restriction is proper at any stage of prosecution up to final action. Thus, since Applicants received a Final Office Action (dated December 5, 2005) on the merits of the application, Applicants respectfully submit that a restriction requirement at this time is improper. Applicants further note that the claims were not amended at any time after the Final Office Action, thereby eliminating any further basis for the Examiner to impose the restriction requirement at this time. (The claims were last amended in the Response and Amendment dated October 27, 2005, which was prior to the Final Office Action.)

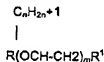
Lastly, Applicants respectfully note that the Examiner does not seem to have responded to Applicants' last Response which was submitted electronically by Applicants on October 12, 2006, and which included a 1.132 Affidavit from the inventor and Exhibits A – C. This Response was sent in reply to the Non-Final Office Action dated June 13, 2006.

U.S. PTO Customer No. 25280

Case #5719

Accordingly, Applicants respectfully request withdrawal of this restriction requirement. In the event the Examiner fails to do so, Applicants elect with traverse the following species:

1. the absorbent particulates of part (a) – urea formaldehyde polymer;
2. the surfactants of part (b) – nonionic surfactant having the formula:



where n is 0 or 1, m is 3 to 20, R<sup>1</sup> is OH or OCH<sub>3</sub>, R is C<sub>12</sub> to C<sub>22</sub> alkyl or phenyl or naphthyl optionally substituted by C<sub>1</sub> to C<sub>10</sub> alkyl groups;

3. the dispersion stabilizing agents of part (c) – clay compounds.

Applicants respectfully reserve the right to file the non-elected species in a divisional application.

Respectfully submitted,

November 20, 2006

Milliken & Company  
920 Milliken Road  
Post Office Box 1927, M-495  
Spartanburg, SC 29304

  
Brenda D. Wentz  
Agent for Applicants  
Registration Number 48, 643  
Telephone (864) 503-1597

EXHIBIT 1



United States Patent and Trademark Office

Home | Site Index | Search | FAQ | Glossary | Guides | Contacts | eBusiness | eBiz Alerts | News | Help

Portal Home | Patents | Trademarks | Other

Patent eBusiness

- □ Patent Application Information Retrieval

- \* Electronic Filing
- \* Patent Application Information (PAIR)
- \* Patent Ownership
- \* Fees
- \* Supplemental Resources & Support

Patent Information

- Patent Guidance and General Info
- \* Codes, Rules & Manuals
- \* Employees & Office Directories
- \* Resources & Public Notices

Patent Searches

- Patent Official Gazette
- \* Search Patents & Applications
- \* Search Biological Sequences
- \* Copies, Products & Services

Other

- Copyrights
- Trademarks
- Policy & Law
- Reports

Select Search

Method:

Enter Number:

Application Number

SUBMIT

Order Certifi  
Order Certifi  
View Order I

10/783,729 Compositions and methods for cleaning textile substrates

Application Data	Transaction History	Image File Wrapper	Continuity Data	Published Documents	Publication Dates	Address & Attorney/Agent
------------------	---------------------	--------------------	-----------------	---------------------	-------------------	--------------------------

Transaction History

Date	Transaction Description
10-23-2006	Mail Restriction Requirement
10-19-2006	Requirement for Restriction / Election
10-12-2006	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received
10-17-2006	Date Forwarded to Examiner
10-12-2006	Response after Non-Final Action
10-12-2006	Request for Extension of Time - Granted
06-13-2006	Mail Non-Final Rejection
* 06-12-2006	Non-Final Rejection
09-12-2005	Information Disclosure Statement considered
06-02-2006	Workflow - Request for RCE - Begin
06-06-2006	Date Forwarded to Examiner
06-06-2006	Date Forwarded to Examiner
06-02-2006	Request for Continued Examination (RCE)
06-06-2006	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
06-02-2006	Request for Extension of Time - Granted
12-05-2005	Mail Final Rejection (PTOL - 326)
* 11-30-2005	Final Rejection
11-08-2005	Date Forwarded to Examiner
10-27-2005	Response after Non-Final Action
09-12-2005	Reference capture on IDS
09-12-2005	Information Disclosure Statement (IDS) Filed
07-29-2005	Mail Non-Final Rejection
* 07-28-2005	Non-Final Rejection
07-26-2005	Case Docketed to Examiner in GAU
05-11-2005	Date Forwarded to Examiner

04-12-2005	Response after Non-Final Action
01-12-2005	Mail Non-Final Rejection
★ 01-10-2005	Non-Final Rejection
11-22-2004	IFW TSS Processing by Tech Center Complete
07-29-2004	Reference capture on IDS
07-29-2004	Information Disclosure Statement (IDS) Filed
11-22-2004	Case Docketed to Examiner in GAU
10-18-2004	Transfer Inquiry to GAU
09-10-2004	Application Return from OIPE
09-10-2004	Application Is Now Complete
09-10-2004	Pre-Exam Office Action Withdrawn
09-10-2004	Application Return TO OIPE
09-10-2004	Application Return from OIPE
09-10-2004	Application Is Now Complete
09-10-2004	Pre-Exam Office Action Withdrawn
09-10-2004	Application Return TO OIPE
09-10-2004	Application Dispatched from OIPE
09-10-2004	Application Is Now Complete
05-07-2004	A statement by one or more inventors satisfying the requirement
05-07-2004	Additional Application Filing Fees
05-14-2004	Notice Mailed--Application Incomplete--Filing Date Assigned
03-24-2004	Cleared by OIPE CSR
03-07-2004	IFW Scan & PACR Auto Security Review
02-20-2004	Initial Exam Team nn

*If you need help:*

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail questions about Patent Application Information Retrieval (PAIR).
- Send general questions about USPTO programs to the USPTO Contact Center (U)
- If you experience technical difficulties or problems with this application, please e-mail Business Support or call 1 800-786-9199.

---

[Home](#) | [Site Index](#) | [Search](#) | [eBusiness](#) | [Help](#) | [Privacy Policy](#)

